

SENATE BILL 3495
By Ketron

AN ACT to amend Tennessee Code Annotated, Title 29;
Title 53 and Title 63, relative to liability involving
prescriptions filled with products from outside of
the United States or its territories.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by
adding the following as a new section:

29-34-207.

Notwithstanding any other provision of law or rule of civil procedure, a physician
licensed under title 63, chapter 6, shall not be subject to civil liability in an action for
damages caused by the plaintiff filling a prescription with a product from outside the
United States or its territories and in violation of the federal Food, Drug and Cosmetic
Act, or of title 21 of the Code of Federal Regulations, unless the plaintiff pleads specific
facts which, if proven, amount to negligence of such physician.

SECTION 2. If any provision of this act or the application thereof to any person or
circumstance is held invalid, such invalidity shall not affect other provisions or applications of the
act which can be given effect without the invalid provision or application, and to that end the
provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it. This
act shall apply to causes of action arising on or after July 1, 2006.